

APPROVED 02/04/2010

The Board's meeting came to order at 6:06 pm in the basement meeting room at the Fremont Town Hall. Present were Selectmen Greta St Germain, Donald Gates Jr, and Brett Hunter; Town Administrator Heidi Carlson.

Selectmen reviewed the agenda and several items of correspondence for the evening.

At 6:12 pm PRIMEX Senior Risk Management Consultant David Witham met with the Board to review the Town's Worker's Compensation Insurance in follow-up to some questions posed by St Germain, who had spoken with Mary O'Brien. He presented folders of information to the Board members. The claims information is protected as confidential pursuant to NH RSA 5-B:7 and is exempt from the Right to Know Law pursuant to NH RSA 91-A:5 (IV) as it pertains to individual/personnel matters. References in the minutes will include only the public information presented.

Witham said it was valuable to spend time with the Board and talked about the Town's participation with Primex and how the Town's performance is overall.

He explained that Worker's Compensation insurance is based on payroll codes and rates are based upon risk for the many different job classifications. He said that the rating establishes the base rate and it is the same for each job classification, multiplied by payroll dollars. He said that Primex is different than a commercial insurance company in that Primex is not for profit, only for NH municipalities and government organizations.

He provided a graph that looks at the Primex pool experience overall and one that looks at the Town's individual loss history. He explained that performance equals cost.

In rate setting, there is a look-back at performance over five years, but that it goes back two years to seasoned claims. The 2010 rating, for example, goes back to 2007 and includes the five years prior to 2007. The loss ratio factor is an adjustment that they make for all of our claims and the pool's claims for the same period.

He explained that the reason Primex goes back two years and then use five years is that the numbers in the most recent two years are "too green" and the claims may not necessarily be closed out.

Fremont is grouped with 300-400 other members in their municipal workers compensation program. If the pool overall does well, it helps all of the members.

Witham talked about the Workers Compensation Safety Improvement Program returning \$1,000,000 to members in 2010. The Town of Fremont is eligible for \$1,320 in those grant monies in 2010. An application needs to be submitted on line, and it could be used for any safety improvement. He mentioned the power stretchers, safety vests, and some other safety equipment that may be eligible.

Witham also advised that their Annual Conference in May is two full days of seminars, and is a good educational experience. He said it has good risk management seminars, and is a good networking opportunity to talk with the others at Primex, as well as other towns. He said that day one is usually more jam-packed with seminars.

St Germain said there was a question overall on subcontractors and asked about the recommendations from Primex for subcontractors. Witham said that because they are the Town's worker's compensation carrier, that they would look at it in terms of that insurance only. He said that they would suggest the Town's should require proof of insurance, including worker's compensation insurance. He also

suggested that the Town be named as an additional insured. He explained that the issue is if the Town does not have proof of insurance, and the subcontractor doesn't carry it, that the Town may suffer some loss.

There is currently no requirement in NH law for sole proprietors to carry workers compensation. Witham said that the more formalized the business is, the more likely the business does carry this insurance. He said that Primex would suggest that even sole proprietors have workers compensation as protection for the subcontractor as and the Town.

He said that their risk management advice is that whenever you hire a subcontractor to work for you even if they are not required to have it, that they submit proof of insurance. He said this is to limit the members of the pool, Primex, and the Town of Fremont's exposure.

In response to a question, Witham said he did not know what the average cost was for such a policy in the commercial market.

The Board thanked Witham for his time and he left the meeting at 7:00 pm.

At 7:00 pm there were no Department Heads present.

OLD BUSINESS

1. Selectmen reviewed Board meeting minutes for 21 January 2010 as amended, as well as the minutes for 12 January 2010 (Public Budget Hearing night); and a final review of 05 January 2010 as amended for the second time.

Hunter moved to accept the minutes for 05 January 2010 as amended; and the minutes of 21 January 2010 as amended. St Germain seconded and the vote on both was 3-0 in favor. St Germain then moved to accept the minutes of 12 January 2010. Hunter seconded and the vote was 2-0-1 with Hunter abstaining as he was not at that meeting.

2. Selectmen reviewed a final draft of the Purchasing Policy. There was discussion about the updates from last week, and some further updates made upon review this evening. Selectmen discussed talking with Departments about the Policy. Time will be set up in a few weeks to review it, once it has been distributed. Gates moved to adopt the policy as written this evening. Hunter seconded and the vote was approved 3-0.

Moderator Michael Rydeen came into the meeting at 7:40 pm, after having met with Annmarie Scribner to discuss the final plans for Candidates Night.

Rydeen had come in as preparation for the Deliberative Session. The Board reviewed with him each of the Warrant Articles for the meeting on Saturday.

There was discussion about other speakers (non-residents) who will be present. This included Heidi Carlson, Town Attorney John Ryan, and Joe Lessard from MRI. There was discussion about who would move the articles, and who would respond to questions on each of the articles.

Carlson advised that there had been a question asked in the Selectmen's Office about whether amendments could be made to the Zoning amendment questions. Legal research had revealed that those cannot be amended at Deliberative Session pursuant to NH RSA 675:3. The Planning Board, after their public hearing series, sets the final wording for zoning changes.

Carlson reviewed each of the handouts that will be available for the meeting. This includes the Warrant Article Narrative, MS-7 Budget Form, MS-7 Default Budget Form, and the Rules of Order for the meeting. Selectmen and Rydeen each have copies of each of the documents.

With the meeting presentation in order, Rydeen left the meeting at approximately 8:45 pm.

OLD BUSINESS CONTINUED

3. In follow-up to the meeting on Friday January 22nd with Senator Barnes at NH DRA, St Germain offered some information. She said herself, NH DRA Commissioner Clougherty, DRA Property Appraisal Director Steve Hamilton, Senator Jack Barnes, Representative Penn Brown, Raymond Town Manager Chris Rose, the Moderator and another Selectman from Raymond attended the meeting.

St Germain said that Senator Barnes presented the issue and referenced the newspaper article from the Union Leader regarding changing the revaluation legislation. The representatives from DRA said that the NH law is what it is, as is the NH Constitution, and that all towns have to be treated equally. The law currently requires recertification every 5 years.

It was stated that anyone could go ahead and work on a legislative and constitutional change.

DRA representatives said that if the Town's do not approve the revaluations or recertification on the March Warrants, that the DRA will proceed to the NH BTLA and Towns will be ordered to do them, with the oversight done by DRA and the cost added to the individual tax rate.

If Selectmen are Agents of a Capital Reserve Fund that would help to facilitate the process in any town where a Capital Reserve Fund exists.

St Germain said that she asked for a letter to be sent from DRA to the Selectmen's Office.

Fremont's goal is still to have voters approve Warrant Article 5 so that the cost can be withdrawn from the Capital Reserve Fund and not added to the tax rate.

4. A final review of Board of Selectmen Annual Report was completed. The Selectmen reviewed other Town Report material including a general taxation information section. There was some discussion about this, and it was decided to include it with some revisions. Carlson also updated the Board on the Treasurer's Report graphics section.

5. In follow-up to the question posed last week by the Road Agent about Gates Lane, Carlson reviewed with the Board information from Town records indicating that Gates Lane is an unpaved Town road. There is a private driveway at the end of the roadway where cars will need to be kept clear for the Town truck to turn around. The Town has sanded and done winging back of the road throughout the past 20 years after Mr Maslowski has plowed it.

6. There was discussion about the Comcast return line construction and contacts in each of the buildings where public access will be located. Selectmen wanted to know what needed to be secured at the Town Hall in order to make a decision about where to have the feed enter the building.

7. Carlson advised that work was continuing on the General Ledger clean up. There was also a suggestion made by the Town's Auditor to make additional contacts on an office procedures review, including coordination of the monthly revenues from the financial Town Officials (Treasurer, Town Clerk, and Tax Collector). Once the Town Report is completed, Carlson will look further in to this. The

GL clean up is ongoing, and will likely continue to be so into the new year, as the computer system is setup. The Board asked for Jeanne Nygren to put together a procedure list containing some realistic time frames for the revenue reporting procedures, as well as what the tasks are. She will be at the Board's meeting next week and may be able to discuss this further.

NEW BUSINESS

1. Selectmen reviewed the accounts payable manifest in the amount of \$37,175.11 for the current week dated 01/29/2010. There was discussion about the cost of trustee lunches and making some alternate arrangements.

Hunter moved to approve the accounts payable manifest in the amount of \$37,175.11. St Germain seconded and the vote was unanimously approved 3-0.

2. Selectmen reviewed the folder of incoming correspondence.

3. Carlson presented a Fraud Policy in follow-up to discussion from last week, using samples from the City of Dover and the Town of Goffstown. Hunter had done some revisions, and those samples were also referred to. The Board talked about changing the name to an Ethics Policy, and adding some of the other ethics-related subject matter.

Members will review this policy and Carlson will look at other Ethics Policies to see if they can be woven together into the current draft.

4. Selectmen reviewed a letter dated 01/21/2010 from the Fremont School Board, regarding a manifest vote in December. The Selectmen discussed a response to this, and did not feel that the negative vote was reflective of school issues. The Board did not draft a response at this point.

5. Carlson advised the Board that planning for a Candidates Night is underway, to be hosted by the Town and School District Moderators. The poster was viewed by the Board, and it will be put in town and school buildings, as well as on the Town's website. Carlson is assisting the Moderators with the letter to candidates, which will go out once the filing period closes.

6. In response to a question from Guerwood Holmes, Carlson talked with the Board about Highway Department equipment changeovers. Holmes had said he would like the Town's equipment removed from his truck at the time he leaves office (March elections). This includes the controls in the cab for the plows and sander. There is also additional hardware on the truck, which will have to be removed including lights and plow frames. It is believed that Guerwood's truck is the only one set up with equipment that is owned by the Town.

The Board discussed the cost of this, and whether this equipment had any residual value, given its age and the length of time it had been used. It was felt that to remove it and have to re-install it elsewhere may be a waste of money, and this led to discussion about how another hired truck might be set up (ie: would the contractor have to come with all the equipment installed).

More information will be obtained about the costs for removal and the residual value (if any) of the equipment, and whether it can be re-used. No final decision was made.

There was discussion about the structure of the Highway Department, and whether the Town should move to an appointed Road Agent. This has been discussed in years past, and at times, recommended by

Guerwood Holmes as a way to bring more stability to the Department (with a multi-year term to be included). This was discussed when Holmes brought in his budget proposal for 2010.

7. Selectmen reviewed CTAP grant application forms from the Fremont Planning Board for submission. This includes Phase II funding for activities recommended by the Community Planning Road Map Committee including three projects:

- a. an update of the goals of the Future Land Use section of the Master Plan to reflect new commercial area (\$2,000);
- b. a conduct audit of the Master Plan (\$3,500); and
- c. creation of a Dark Skies Ordinance (\$1,750)

Hunter moved to authorize the grant applications as noted. St Germain seconded and the vote was unanimously approved 3-0.

8. It was noted that no response has yet been received from Mr Padellaro regarding the proposed negotiation session for February 25th.

NEXT WEEK

The Budget Committee meets on Wednesday February 3, 2010. The next regular meeting of the Board of Selectmen will be held on Thursday February 4, 2010 at 6:00 pm.

With no further business to come before the Board, motion was made by Hunter and seconded by St Germain to adjourn the meeting at 10:15 pm. The vote was unanimously approved 3-0.

Respectfully submitted,

Heidi Carlson
Town Administrator